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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
1998 NOV 23 NORTHERN DIVISION

FILED

NOV 23 1998

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IN RE: EMPLOYMENT DISCRIMINATION
LITIGATION AGAINST THE STATE OF
ALABAMA, et al.:

EUGENE CRUM, JR., et al.,

Plaintiffs,

v.

STATE OF ALABAMA, et al.,

Defendants.

CARRIE WARREN and LEE M. TAYLOR,

Plaintiff-Intervenors,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF PUBLIC HEALTH, and its
Commissioner/Director,

Defendants.

CIVIL ACTION NO.:
CV-94-T-356-N

2:07CV449-mht

345

SHEILA RUSSELL,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF MENTAL HEALTH and
MENTAL RETARDATION, and its Commissioner,
VIRGINIA ROGERS,

Defendants.

ROBERT TAYLOR and LANEETA ROBERTS,

Plaintiff-Intervenors,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF PUBLIC SERVICE
COMMISSION, and its President JIM SULLIVAN,

Defendants.

VELMA EASTERLING,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF ALABAMA CRIME VICTIMS
& COMPENSATION COMMISSION, and its
Executive Director, ANITA DRUMMOND,

Defendants.

SYLVIA ADAMS,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF FINANCE, PHILLIP W.
WILLIAMS, Director of Finance,

Defendants.

FRANKLIN MCMILLION and
KITTY WILLIAMS-ARCHIE,

Plaintiff-Intervenors,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF REVENUE, and H. GENE
MONROE, Commissioner of Revenue,

Defendants.

ROY HIGHTOWER,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS, and its
COMMISSIONER, Joe S. Hopper,

Defendants.

GAIL HOWARD,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF FORENSIC SCIENCE, and its
Director CARLOS RABREN,

Defendants.

CHARLES WILSON, WILSON MORGAN,
LAURA JOHNSON-PRICE, DIANE GREEN and
DOROTHY CARSON,

Plaintiff-Intervenors,

v.

STATE OF ALABAMA, GOVERNOR FOB
JAMES, STATE OF ALABAMA PERSONNEL
DEPARTMENT, STATE OF ALABAMA
DEPARTMENT OF HUMAN RESOURCES,
and its Commissioner TONY PETELOS,

Defendants.

MOTION TO INTERVENE

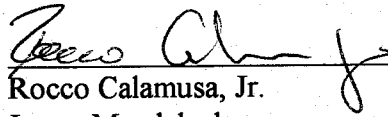
COMES NOW the applicants, Carrie Warren, Sheila Russell, Robert Taylor, Laneeta Roberts, Velma Easterling, Kitty Williams-Archie, Lee Taylor, Sylvia Adams, Franklin McMillion, Roy Hightower, Gail Howard, Charles Wilson, Wilson Morgan, Laura Johnson, Diane Green and Dorothy Carson and pursuant to Rule 24(b) of the Federal Rules of Civil Procedure applies to this

Court for permission to intervene as party plaintiffs in the above-entitled cause. As grounds for this Motion, applicants would show unto the Court as follows:

1. This Motion is timely based upon the following factors:
 - (a) Length of Time Applicant Has Known Of Their Interest. The plaintiff-intervenors have been waiting for the issuance of their right-to-sue letters from the EEOC and Justice Department before seeking intervention into this case. Plaintiff-intervenors have filed this motion within 90 days of the issuance of their right-to-sue letters. Based on these facts, it should be held that there has been no undue delay on the part of the applicants in seeking intervention into this lawsuit.
 - (b) Prejudice to Parties from Failure to Move Sooner. The parties will not be unduly prejudiced by the intervention sought herein.
 - (c) Prejudice to Applicants if Intervention Denied. Applicants will be unduly prejudiced by the necessity of maintaining individual, separate lawsuits involving complex issues and costly experts, which will be duplicative of the present case.
 - (d) Unusual Circumstances. The circumstances of the case militate in favor of intervention as it will prevent duplicative and expensive discovery and the retrial of identical issues.
2. A copy of this Motion is being served upon all parties through their respective counsel.
3. The applicants' claims and the claims of the named plaintiffs, plaintiff-intervenors and the putative class in the case at bar involve common questions of law and fact.
4. This Motion is accompanied by applicants' complaint-in-intervention, which is attached hereto.
5. Intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.

WHEREFORE, Premises Considered, applicants respectfully move this Court to permit them intervention into the instant legal action as party plaintiffs.

Respectfully submitted,



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Gregory O. Wiggins

Alan H. Garber

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served, either by hand delivery or by placing same in the United States Mail, properly addressed and first class postage prepaid, on this the 23rd day of November, 1998 on the following:

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